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EXAMINER

LEE, PHILIP C

ART UNIT	PAPER NUMBER
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2448

NOTIFICATION DATE	DELIVERY MODE
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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/684,063	Applicant(s) NOMA, TSUNETAKE	
	Examiner PHILIP C. LEE	Art Unit 2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/3/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment and remarks filed on April 7, 2009.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/5/09 has been entered.
3. Claims 1-2, 4-13 and 15-18 are presented for examination.
4. The information disclosure statement filed 12/3/09 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because a written English-language translation of a non-English-language document (“Introduction of peer-to-peer LAN in a small office”) is missing. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Objection

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required “processor”. For examination purpose, “processor” is interpreted as “CPU” in the specification. It is noted that according to the IEEE dictionary, “processor” can be defined as software.

Claim Rejections – 35 USC 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-2 and 6-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim elements "storing means for, receiving means for, acquiring means for, transmitting means for, inputting means for, display control means for, selecting means for, displaying means for, reproduction controlling means for" are means (or step) plus function limitations that invokes 35 U.S.C.112, sixth paragraph. However, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed functions such that one of ordinary skill in the art would recognize what structure, material, or acts perform the

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claimed function. The specification does not disclose the structures that are equivalent to each of the claim elements "storing means for, receiving means for, acquiring means for, transmitting means for, inputting means for, display control means for, selecting means for, displaying means for, reproduction controlling means for".

Applicant is required to:

- (a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- (b) Amend the written description of the specification such that it clearly links or associates the corresponding structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or
- (c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

Claim Rejections – 35 USC 101

9. Claims 1 and 6 are rejected under 35 U.S.C. 101 because “Apparatus” comprising: means or units (i.e., considered as software) does not include any functional structure of an apparatus (i.e., hardware structure of an apparatus). An apparatus comprising software is considered as program per se, which is not one of the categories of statutory subject matter.

Claim Rejections – 35 USC 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

11. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

12. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Simonoff, U.S. Patent 7,043,529 (hereinafter Simonoff).

13. As per claim 18, Simonoff teaches the invention as claimed providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a network (400 fig. 3), said service providing apparatus (100,fig. 3) comprising:

(a) a processor configured to provide a plurality of information processing apparatuses with a chat room (col. 21, lines 19-26)(server 100 provides clients 300 with white board which includes chat room);

(b) a network interface configured:

(i) to receive text messages from any of the plurality of information processing apparatuses currently in the chat room (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages from clients) and

(ii) to receive a content request transmitted from any of the plurality of information processing apparatuses currently in the chat room (col. 14, lines 14-32; col. 24, lines 53-56; col. 24, line 65-col. 25, line 2) (server receive command to relay/upload the content (e.g., drawn object or files) from the client);

(c) the network interface configured to acquire the requested content in response to reception of a content request (col. 14, lines 3—32; col. 23, line 60-col. 24, line 8) (obtaining the uploaded content (e.g., drawn object or uploaded files)); and

(d) the network interface configured:

(i) to transmit a list of available content to all of the plurality of information processing apparatuses currently in the chat room (col. 14, lines 3-32);

(ii) to transmit the received text messages to all of the plurality of information processing apparatuses currently in the chat room (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2)(server relays chat messages to users) and

(iii) to transmit, when the network interface receives the content request,

the acquired content(col. 24, lines 22-27; col. 31, lines 35-37) (server sends to the clients) to all of the plurality of information processing apparatuses currently in the chat room (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (server relays/displays the drawn object/file to users in the white board).

Claim Rejections – 35 USC 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 1, 4-6, 8-9, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff in view of Morris et al, U.S. Patent Application Publication 2002/0052919 (hereinafter Morris).

16. As per claim 1, Simonoff teaches the invention substantially as claimed for providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a network (400, fig. 3), said service providing apparatus (100,fig. 3) comprising:

(a) storing means for storing a plurality of chat rooms (server 100 storing web pages containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files/objects), and content (files/object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(b) receiving means:

(ii) for receiving content requests transmitted from any of the plurality of information processing apparatuses currently participating in said one of the plurality of chat rooms, the content request including a selection from the list of available content (col. 14, lines 15-32; col. 22, lines 53-56) (server receive command to relay/upload the content (e.g., drawn object, files) from the client), and

(iii) for receiving text messages transmitted from any of the plurality of information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(c) acquiring means for acquiring the content requested by the content requests (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file (e.g., drawn object));

(d) transmitting means for transmitting to all of the plurality of information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 24, lines 22-27; col. 31, lines 35-37) (server sends to the clients participating in the white board):

(i) the list of available content stored in said storing means (col. 14, lines 1-32);

(ii) the content acquired by said acquiring means (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay/display drawn objects/files to users);

(iii) a list of all of the information processing apparatuses currently accessing the service providing apparatus (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server);

(iv) said text messages received by said receiving means (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages relayed to the users); and

(v) instructions to each of the plurality of information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (currently accessing application and chat room (i.e., whiteboard)) (col. 23, lines 26-32, 49-56) instructions commanding said one of the plurality of information processing apparatuses to display both the list of available content (col. 14, lines 1-32) and the name of the content (e.g., "Live Moving Tracks", fig. 4) being shared by all of information processing apparatuses currently receiving transmissions from the transmitting means.

17. Simonoff does not specifically teach receiving participation requests. Morris teaches for receiving participation requests transmitted from any of the plurality of information processing apparatuses to include a corresponding one of the plurality of information processing apparatuses in one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input of user clicking on SETUP button); and a list of all of the information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

18. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of participation requests would allow users in Simonoff's system to invite other users to

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participants in a chat room without fear that uninvited user will be able to see their comments ([0008]).

19. As per claim 4, Simonoff teaches the invention substantially as claimed for providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a network (400, fig. 3), said service providing method comprising:

(a) a storage step of storing a plurality of chat rooms (server 100 storing web pages containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files/objects), and content in a service providing apparatus (files/drawn object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(c) a second reception step of receiving in the service providing apparatus a content request transmitted from any of the information processing apparatuses belonging to said one of the of the plurality of chat rooms, the content request including a selection from the list of available content (col. 22, lines 53-56) (server receive command to relay/display the content (e.g., drawn object/files) from the client);

(d) a third reception step of receiving text messages transmitted from any of the information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(e) an acquisition step of acquiring in the service providing apparatus the content requested by the content request (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file (e.g., object));

(f) a first communication step of transmitting from the service providing apparatus to all of the

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information processing apparatus currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms the list of available content (col. 14, lines 1-32);

(g) a second communication step of transmitting from the service providing apparatus the content acquired by the acquisition step to all of the information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2; col. 31, lines 35-37) (relay/display objects/files to users); and

(h) a transmission step of transmitting to each of the information processing apparatuses in said one of the plurality of chat rooms:

(i) the content acquired in said acquisition step (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay/display objects/files to users),

(ii) a list of all of the information processing apparatuses currently accessing the service providing apparatus (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server),

(iii) the text messages (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages relayed to the users); and

(iv) instructions to each of the information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (currently accessing application and chat room (i.e., whiteboard)) (col. 23, lines 26-32, 49-56) instructions commanding said one of the plurality of information processing apparatuses to display both the list of available content (col. 14, lines 1-32)

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and the name of the content being shared by all of information processing apparatuses currently receiving transmissions from the service providing apparatus(e.g., “Live Moving Tracks”, fig. 4).

20. Simonoff does not specifically teach receiving participation requests. Morris teaches receiving in the service providing apparatus a participation request to include one of the plurality of information processing apparatuses in one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input of user clicking on SETUP button); and a list of all of the information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

21. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris’s teaching of participation requests would allow users in Simonoff’s system to invite other users to participants in a chat room without fear that uninvited user will be able to see their comments ([0008]).

22. As per claim 5, Simonoff teaches the invention substantially as claimed for providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a network (400, fig. 3), comprising:

(a) a storage step of storing in the shared server a plurality of chat rooms (server 100 storing web pages containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of

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files/objects), and content (files/objects) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(c) a second reception step of receiving a content request transmitted from any of the information processing apparatuses currently participating in said one of the plurality of chat rooms, the content request including a selection from the list of available content (col. 22, lines 53-56) (server receive command to relay/display the content (e.g., object/file) from the client);

(d) a third reception step of receiving text messages transmitted from any of the information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(e) an acquisition step of acquiring the content requested by the content request (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file/object);

(f) a first communication step of transmitting from the shared server to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms the list of available content (col. 14, lines 1-32);

(g) a second communication step of transmitting the content acquired by the acquisition step to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2; col. 31, lines 35-37) (relay/display objects/files to users); and

(h) a transmission step of transmitting to each of the plurality of information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms:

(i) the content acquired in said acquisition step (col. 14, lines 1-32; col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay/display objects/files to users),

(ii) a list of all of the information processing apparatuses currently accessing the shared server (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server),

(iii) the text messages (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages relayed to the users), and

(iv) instructions commanding each of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (currently accessing application and chat room (i.e., whiteboard)) (col. 23, lines 26-32, 49-56) to display both the list of available content (col. 14, lines 1-32) and the name of the content being shared by all of information processing apparatuses currently receiving transmissions from the shared server (e.g., “Live Moving Tracks”, fig. 4).

23. Simonoff does not specifically teach receiving participation requests. Morris teaches receiving in a shared server a participation request transmitted from any of the plurality of information processing apparatuses to include one of the plurality of information processing apparatuses in one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input of user clicking on SETUP button); and a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

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24. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of participation requests would allow users in Simonoff's system to invite other users to participants in a chat room without fear that uninvited user will be able to see their comments ([0008]).

25. As per claim 6, Simonoff teaches the invention substantially as claimed for accessing a service providing apparatus functioning as shared server, which provides services on a network (300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other information processing apparatuses (300, figs. 2 and 3), said information processing apparatus comprising:

(a) inputting means for inputting access information into a single window of a media player configured to access a shared server to select and participate in one of a plurality of chat rooms (col. 23, lines 43-50) (inputting login username and password);

(b) display control means for controlling display of a list of available content transmitted from the shared server in the single window of the media player (col. 14, lines 1-32; col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) selecting means for selecting content from the list of available content in the single window of the media player (col. 14, lines 1-32; col. 22, lines 11-14) and requesting the shared server to transmit the selected content to the information processing apparatus and all of the other information processing apparatuses currently accessing the shared server and participating

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in said one of the plurality of chat rooms by activating a command in the single window of the media player (col. 14, lines 1-32; col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) receiving means:

(i) for receiving the selected content transmitted from the shared server to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the relay/uploaded objects/files transmitted from the server);

(ii) for receiving a list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server); and

(iii) for receiving text messages transmitted from the shared server to all of the information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (user receives the chat messages relayed from the server)

(e) displaying means for displaying in the single window of the media player the list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56; e.g., fig. 4); and

(f) reproduction controlling means for reproducing

(1) the received content (col. 14, lines 1-32; col. 23, lines 60-66; col. 24, line 65-col. 25, line 2),

- (ii) the list of all of the information processing apparatuses currently accessing the shared server (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server), and
- (iii) the text messages (col. 20, lines 42-49).

26. Simonoff does not specifically teach receiving a list of all of information processing apparatuses participating in said one of the plurality of chat rooms. Morris teaches a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

27. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

28. As per claim 8, Simonoff teaches the invention substantially as claimed for accessing a service providing apparatus functioning as shared server, which provides services on a network (300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other information processing apparatuses (300, figs. 2 and 3), comprising:

- (a) inputting step of inputting access information into a single window of a media player configured to access the single shared server to select and participate in one of a plurality of chat

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rooms (col. 23, lines 43-50) (inputting login username and password into a window of a white board client);

(b) display controlling step of controlling display of a list of available content transmitted from the single shared server in the single window of the media player (col. 14, lines 14-27; col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) selecting step of selecting content from the list of available content in the single window of the media player (col. 14, lines 1-32; col. 22, lines 11-14) and requesting the single shared server to transmit the selected content to all of the information processing apparatus currently accessing the single shared server and participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) a transmission step of transmitting the list of available content and a list of all of the information processing apparatuses currently accessing the single shared server to each of the information processing apparatuses (col. 14, lines 1-32; col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of upload/download files and list of user accessing the server);

(e) a receiving step of receiving the list of available content, content, text messages, and a list of all of the information processing apparatuses currently accessing the single shared server transmitted from the single shared server to all of the information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 31, line 66-col. 32, line 2; col. 23, lines 53-63; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the objects/files, chat messages, and list of users transmitted from the server),

(f) a display step of displaying in the single window of the media player the list of all of the information processing apparatuses currently accessing the single shared server (col. 23, lines 53-56; e.g., fig. 4); and

g) a reproduction step of reproducing the content (col. 23, lines 60-66; col. 24, line 65- col. 25, line 2), the text messages (col. 20, lines 42-49), and the list of all of the information processing apparatuses currently accessing the shared server and participating in said on said plurality of chat rooms in the single window of the media player (col. 23, lines 55-56; fig. 4) (reproduce on the interface, the list of user logged on to the server 100 and participating with whiteboard server).

29. Simonoff does not specifically teach receiving a list of all of information processing apparatuses belonging to said one of the plurality of chat rooms. Morris teaches a list of all of the information processing apparatuses currently accessing the shared server and belonging to said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

30. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of a list of all of the information processing apparatuses currently accessing the shared server and belonging to said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

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31. As per claim 9, Simonoff teaches the invention substantially as claimed for accessing a service providing apparatus functioning as shared server, which provides services on a network (300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other information processing apparatuses (300, figs. 2 and 3), comprising:

(a) an inputting step of inputting access information into a single window of a media player configured to access the shared server to select and participate in one of a plurality of chat rooms (col. 23, lines 43-50) (inputting login username and password);

(b) a display controlling step of controlling display of a list of available content transmitted from the shared server in the single window of the media player (col. 14, lines 14-27; col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) a selecting step of selecting content from the list of available content in the single window of the media player (col. 14, lines 1-32; col. 22, lines 11-14) and requesting the shared server to transmit the selected content to said information processing apparatus and all of the other information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms by activating a command in the single window of the media player (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) a transmission step of transmitting the list of available content, a list of all of the information processing apparatuses currently accessing the shared server to each of the information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of uploaded/downloaded files and list of user accessing the server);

(e) a receiving step of receiving:

- (i) the list of available content (col. 14, lines 1-32; col. 22, lines 11-14);
- (ii) the selected content transmitted from the shared server to all of the information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the relay/display objects/files transmitted from the server);
- (iii) a list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server); and
- (iv) text messages sent from any of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (user receives the chat messages relayed from the server);
- (f) a display step of displaying the list of all of the information processing apparatuses currently accessing the shared server in the single window of the media player (col. 23, lines 53-56; fig. 4); and
- (g) reproduction controlling means for reproducing the content (col. 23, lines 60-66; col. 24, line 65-col. 25, line 2) and the text messages (col. 20, lines 42-49).

32. Simonoff does not specifically teach receiving a list of all of information processing apparatuses currently participating in said one of the plurality of chat rooms. Morris teaches a

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list of all of the information processing apparatuses currently accessing the shared server and currently participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

33. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of a list of all of the information processing apparatuses currently accessing the shared server and currently participating in said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

34. As per claim 12, Simonoff teaches the invention substantially as claimed for providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3), the service providing apparatus functioning as a shared server on a network (400, fig. 3), said service providing apparatus (100,fig. 3) comprising:

(a) a memory configured to store a plurality of chat rooms (server 100 storing web pages containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files/objects), and content (files/object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(b) a network interface:

(ii) configured to receive content requests transmitted from any of the information processing apparatuses currently participating in said one of said plurality of chat rooms, the content requests including a selection from the list of available content (col. 14, lines

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1-32; col. 22, lines 53-56) (server receive command to relay/display the content (file/object) from the client); and

(iii) configured to receive text messages transmitted from any of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(c) the network interface configured to acquire the content requested by the content requests (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file/object);

(d) the network interface configured to transmit the acquired content and the text messages to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 20, lines 42-49; col. 23, lines 60-64; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2; col. 31, lines 35-37) (relay/display objects/files and chat messages to users at the same time); and

(e) the network interface configured to transmit to each of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms:

(i) the list of available content (col. 14, lines 1-32; col. 22, lines 53-56);

(ii) a list of all of the information processing apparatuses currently accessing the shared server (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server);

(iii) the acquired content (col. 14, lines 1-32; col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay/display objects/files to users); and

(iv) the received text messages (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages relayed to the users).

35. Simonoff does not specifically teach receiving participation requests. Morris teaches receiving participation requests to include a corresponding one of a plurality of information processing apparatuses in one of the plurality of chat rooms, the participation requests transmitted from any of a plurality of information processing apparatuses ([0006] and [0008]) (server 100 receives input of user clicking on SETUP button), and a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the of chat rooms (figs. 1 and 2; [0007]).

36. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of participation requests would allow users in Simonoff's system to invite other users to participants in a chat room without fear that uninvited user will be able to see their comments ([0008]).

37. As per claim 15, Simonoff teaches the invention substantially as claimed for accessing a service providing apparatus functioning as shared server, which provides services on a network (300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other information processing apparatuses (300, figs. 2 and 3), comprising:

(a) user interface configured to input access information into a single window of a media player configured to access the shared server to select and participate in one of a plurality of chat rooms (col. 23, lines 43-50) (inputting login username and password);

(b) a processor configured to control display of a list of available content transmitted from the shared server in the single window of the media player (col. 14, lines 14-27; col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) the user interface configured to receive a selection of content from the list of available content in the single window of the media player (col. 14, lines 1-32; col. 22, lines 11-14) and the processor configured to request the shared server to transmit the selected content to said information processing apparatus and all of the other information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms by activating a command in the single window of the media player (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) a network interface configured to transmit the list of available content and a list of all of the information processing apparatuses currently accessing the shared server to each of the information processing apparatuses currently accessing the shared server in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of objects/files and list of user accessing the server);

(e) the network interface configured to receive from each of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms:

(i) content transmitted from the shared server to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 14, lines 1-32; col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the relay/uploaded objects/files transmitted from the server);

(ii) a list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server); and

(iii) text messages (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (user receives the chat messages relayed from the server)

(f) a display configured to display the list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56); and

(g) the processor configured to reproduce the content (col. 23, lines 60-66; col. 24, line 65-col. 25, line 2), the list (col. 23, lines 55-56) and the text messages (col. 20, lines 42-49).

38. Simonoff does not specifically teach receiving a list of all of information processing apparatuses participating in said one of the plurality of chat rooms. Morris teaches a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

39. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

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of a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

40. Claims 2, 7, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff and Morris in view of Johnson et al, U.S. Patent 7,143,177 (hereinafter Johnson).

41. As per claims 2 and 13, Simonoff and Morris teach the invention substantially as claimed as claims 1 and 12 above. Simonoff and Morris do not specifically teach the content is music. Johnson teaches wherein:

(a) the content requested by the content requests is music (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26) and

(b) the selection is particular music data (col. 20, lines 50-53; col. 21, lines 24-36).

42. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff, Morris and Johnson because Johnson's teaching of the content selected is music would allow users in Simonoff's and Morris's systems to share multimedia such as music with other users.

43. As per claim 7, Simonoff and Morris teach the invention substantially as claimed as claim 6 above. Although Simonoff teaches the list of available content is a table listing available data provided from the service providing apparatus (col. 14, lines 30-32; col. 24, lines 7-8; col.

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34, lines 49-51), however, Simonoff and Morris do not specifically teaches the content is music.

Johnson teaches wherein:

music data provided from the service providing apparatus (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26) and the music data corresponds to the selected content (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26).

44. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff, Morris and Johnson because Johnson's teaching of the content selected is music would allow users in Simonoff's and Morris's systems to share multimedia such as music with other users.

45. As per claim 16, Simonoff and Morris teach the invention substantially as claimed as claim 15 above. Although Simonoff teaches the list of available content is a table listing available data provided from the shared server (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51), however, Simonoff and Morris do not specifically teaches the content is music. Johnson teaches wherein:

music data provided from the shared server (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26) and the music data corresponds to the selected content (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26).

46. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff, Morris and Johnson because

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Johnson's teaching of the content selected is music would allow users in Simonoff's and Morris's systems to share multimedia such as music with other users.

47. Claims 10-11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff and Morris in view of Erdelyi, U.S. Patent Application Publication 2004/0056879 (hereinafter Erdelyi).

48. As per claims 10-11 and 17, Simonoff and Morris teach the invention substantially as claimed in claims 6, 9 and 15 above. Simonoff and Morris do not teach activating a play button. Erdelyi teaches activating a command by activating a play button in the single window of the media player (page 5, paragraphs 80 and 81).

49. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teaching of Simonoff, Morris and Erdelyi because Erdelyi's teaching of a single window of a media player would enhance and make it easier for users in Simonoff's and Morris's systems to input and to select information/contents utilizing the graphical interface.

50. Applicant's arguments with respect to claims 1-2, 4-13 and 15-18, filed on 10/5/09 have been considered but are not persuasive.

51. In the remark, applicant argued that:

- (1) The rejection of claims 1, 6, 12, 15 and 18 under 35 U.S.C. 101 should be withdrawn.
- (2) Simonoff fails to teach transmits ...the ...content to all of the plurality of information processing apparatuses currently in the chat room.

52. In response to point (1), on page 18 of the remarks filed on 10/5/09, applicant states "It does not appear as though the Office has interpreted these means-plus-function claim features in accordance with M.P.E.P. 2181-82, as no reference is made to the specification to support the current interpretation of these as a "program per se"." The current interpretation of claim 1 and 6 as program per se is based on page 28, lines 5-6 of the specification, which states "While the series of processes described above can be executed by hardware, it may otherwise be executed by software". As stated above, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed functions (means for) such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function. Therefore the broadest reasonable interpretation of the claimed functions (means for) is based on page 28, lines 5-6 of the specification. Since the claimed functions can include software, the rejections for claims 1 and 6 under 35 USC 101 are maintained. As per claim 12, the amendment filed on 10/5/09 has overcome the rejection for claim 12 under 35 USC 101. Accordingly, the rejection has been withdrawn. As per claims 15 and 18, based on the interpretation of "processor" as "CPU" stated above, the rejections for claims 15 and 18 under 35 USC 101 have been withdrawn.

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53. In response to point (2), on page 20, line 25 to page 21, line 3 of the remarks filed on 10/5/09, applicant states "Simonoff describes a process of synchronizing white board and chat room activity, and is not related to transmitting content acquired at the server as the result of a received request to all of the plurality of information processing apparatuses currently in the chat room, as claimed." Examiner disagreed. Simonoff teaches a Group Web Surfing and Web Navigation function for permitting users to view any document opened by another user using the "Open File" command from the White Board client's pull down menu (col. 17, line 51-col. 18, line 23). This means the server receive an Open File command for an uploaded file, retrieves the uploaded file from the shared file upload area (col. 14, lines 45-60). All users with the Surf control set (i.e., Sync function) will receive the same file. The users must be currently in the White Board (chat room) in order to navigate to view the same document (col. 17, line 51-col. 18, line 23). As an example of Surf control process, Simonoff teaches based on the setting of the Surf control on the users respective White Board, each user will be receiving the uploaded files requested from shared file upload area in order to view the same document opened by another user (col. 28, lines 51-55). The same file must be downloaded/transmitted to all clients with the Surf control set (Sync function set) from the server because the server must maintain information that tracks files downloads (e.g., id of the user that download) (col. 14, lines 1-5, 20-41).

54. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM

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Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2448